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October 3, 2002

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application No. 09/540,234
Filed: April 3, 2000
Title: **Nucleic Acid Molecules and Other Molecules Associated with Plants**
Inventors: Timothy W. CONNER *et al.*
Atty. Docket: 16517.001/38-21(15726)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

1. Appointment of Associate Attorney;
2. Appellants' Brief (twenty-three (23) pages) (in triplicate); and
3. Return postcard.

Applicants request that the \$320.00 fee for filing a brief in support of an appeal be charged to Deposit Account No. 50-2387, referencing matter no. 16517.001/38-21(15726)B:

It should be noted that Applicants filed a Petition for One-Month Extension of Time on September 10, 2002, via facsimile, thereby extending the deadline for filing this Appellants' Brief to October 3, 2002.

Please stamp the postcard with the filing date of these documents and return it to our courier.

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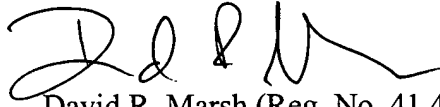
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In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16517.001/38-21(15726)B. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D R Marsh', with a stylized flourish at the end.

David R. Marsh (Reg. No. 41,408)
Holly L. Prutz (Reg. No. 47,755)

Attachments